

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PHNL031266WO	FOR FURTHER ACTION	See item 4 below
International application No. PCT/IB2004/051948	International filing date (<i>day/month/year</i>) 01 October 2004 (01.10.2004)	Priority date (<i>day/month/year</i>) 17 October 2003 (17.10.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KONINKLIJKE PHILIPS ELECTRONICS N.V.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I Basis of the report
<input type="checkbox"/>	Box No. II Priority
<input type="checkbox"/>	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI Certain documents cited
<input type="checkbox"/>	Box No. VII Certain defects in the international application
<input type="checkbox"/>	Box No. VIII Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 18 April 2006 (18.04.2006)
Facsimile No. +41 22 740 14 35	Authorized officer Cecile Chatel
	Telephone No. +41 22 338 70 60

Form PCT/IB/373 (January 2004)

~~DO NOT AVAIL ARIE COPY~~

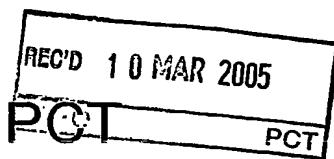
PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

98/4



WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Applicant's or agent's file reference see form PCT/ISA/220		Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)	
International application No. PCT/IB2004/051948	International filing date (day/month/year) 01.10.2004	Priority date (day/month/year) 17.10.2003	
International Patent Classification (IPC) or both national classification and IPC G10L19/14			
Applicant KONINKLIJKE PHILIPS ELECTRONICS N.V.			

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:  European Patent Office - P.O. Box 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Winne, D Telephone No. +31 70 340-3827
--	---



Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material:
 in written format
 in computer readable form
 - c. time of filing/furnishing:
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2004/051948

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	9-21,24,25,27,28
	No: Claims	1-8,22,23,26
Inventive step (IS)	Yes: Claims	
	No: Claims	1-28
Industrial applicability (IA)	Yes: Claims	1-28
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

- D1: EP-A-1 168 651 (HITACHI LTD) 2 January 2002 (2002-01-02)
- D2: US 2003/161469 A1 (CHENG SZEMING ET AL) 28 August 2003 (2003-08-28)
- D3: GB-A-2 321 577 (BRITISH BROADCASTING CORPORATION) 29 July 1998 (1998-07-29)
- D4: WO 02/49363 A (KENT RIDGE DIGITAL LABS; XU, CHANGSHENG) 20 June 2002 (2002-06-20)

2. Clarity under Item V

The application does not meet the requirements of Article 6 PCT, because claims ... are not clear.

2.1 Although claims 1, 22, 23 and 26 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness and as such do not meet the requirements of Article 6 PCT.

2.2 The term "pre-encoded signal" in claim 6 has an ambiguous interpretation as it can refer to the signal before or after block 103 in Figure 1.

2.3 The relative term "substantially independent" used in claim 14 has no well-recognised meaning and leaves the reader in doubt as to the meaning of the technical features to which it refers, thereby rendering the definition of the subject-matter of said claim unclear, Article 6 PCT.

2.4 The feature "corresponding encoding parameter" of claim 15 is not referred to in the description. Claim 15 is therefore not supported by the description as required by Article 6 PCT.

3. Claim 1 not novel

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

The document D1 discloses (the references in parentheses applying to this document):

A signal encoding system (Fig. 9) comprising:

- means for receiving a signal (Fig. 9, item 10);
- a pre-encoder for pre-encoding the signal to generate a pre-encoded signal (par. 48, item 10);
- a watermark processing means (par. 48, signature assumed to be the watermark) comprising:
 - a decoder for decoding the pre-encoded signal to generate a decoded signal (Fig 9, item 11),
 - a watermark embedder for inserting a watermark in the decoded signal to generate a watermarked signal (par. 49 and Fig 9, item 18),
 - a re-encoder for re-encoding the watermarked signal to generate a watermarked encoded signal (Fig. 9, item 22);
 - and wherein the pre-encoder is operable to generate encoding assistance data and the reencoder is operable to re-encode the watermarked signal in response to the encoding assistance data (par. 26, referring to coding parameters).

The subject-matter of claim 1 is therefore not new.

4. Claim 22, 23, 26 not novel

The subject-matter of independent claim 22, 23 and 26 correspond to that of claim 1. The objections raised in respect of claim 1, therefore, also apply, "mutatis mutandis", to independent claim 22, 23 and 26. Therefore, the subject-matter of independent claim 22, 23 and 26 also cannot be considered novel (Article 33(3) PCT)

5. Claim 2-21, 24, 25, 27 and 28 not novel or inventive

Dependent claims 2-21, 24, 25, 27 and 28 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step, see documents D1, D2, D3 and D4 and the corresponding passages cited in the search report.